

# TRAITÉ DE COOPÉRATION EN MATIÈRE DE BREVETS

## PCT

### RAPPORT PRÉLIMINAIRE INTERNATIONAL SUR LA BREVETABILITÉ (chapitre I du Traité de coopération en matière de brevets)

(règle 44bis du PCT)

Référence du dossier du déposant ou du mandataire <b>70602WO3ASLC</b>	<b>POUR SUITE À DONNER</b>		Voir le point 4 ci-dessous
Demande internationale no. <b>PCT/FR2005/000323</b>	Date du dépôt international ( <i>jour/mois/année</i> ) <b>11 February 2005 (11.02.2005)</b>	Date de priorité ( <i>jour/mois/année</i> ) <b>13 February 2004 (13.02.2004)</b>	
Classification internationale des brevets (8 <sup>e</sup> édition, sauf indication d'une #dition ant#rieure) Voir les informations pertinentes dans le formulaire PCT/ISA/237			
Déposant <b>INSTITUT NATIONAL POLYTECHNIQUE DE GRENOBLE</b>			

1.	Le présent rapport préliminaire international sur la brevetabilité (chapitre I) est établi par le Bureau international au nom de l'administration chargée de la recherche internationale selon la règle 44bis.1.a).																								
2.	Ce RAPPORT comprend un total de 6 feuilles, y compris la présente feuille de couverture.  Dans les feuilles jointes, toute référence à l'opinion écrite de l'administration chargée de la recherche internationale doit être entendue, à la place, comme une référence au rapport préliminaire international sur la brevetabilité (chapitre I).																								
3.	Le présent rapport contient des indications relatives aux points suivants : <table style="width: 100%; margin-top: 10px;"> <tr> <td style="width: 10%;"><input checked="" type="checkbox"/></td> <td style="width: 30%;">Cadre n° I</td> <td>Base de l'opinion</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Cadre n° II</td> <td>Priorité</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Cadre n° III</td> <td>Absence de formulation d'opinion quant à la nouveauté, l'activité inventive et la possibilité d'application industrielle</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Cadre n° IV</td> <td>Absence d'unité de l'invention</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Cadre n° V</td> <td>Déclaration motivée selon l'article 35.2) quant à la nouveauté, l'activité inventive et la possibilité d'application industrielle; citations et explications à l'appui de cette déclaration</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Cadre n° VI</td> <td>Certains documents cités</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Cadre n° VII</td> <td>Certaines irrégularités relevées dans la demande internationale</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Cadre n° VIII</td> <td>Certaines observations relatives à la demande internationale</td> </tr> </table>	<input checked="" type="checkbox"/>	Cadre n° I	Base de l'opinion	<input type="checkbox"/>	Cadre n° II	Priorité	<input type="checkbox"/>	Cadre n° III	Absence de formulation d'opinion quant à la nouveauté, l'activité inventive et la possibilité d'application industrielle	<input type="checkbox"/>	Cadre n° IV	Absence d'unité de l'invention	<input checked="" type="checkbox"/>	Cadre n° V	Déclaration motivée selon l'article 35.2) quant à la nouveauté, l'activité inventive et la possibilité d'application industrielle; citations et explications à l'appui de cette déclaration	<input type="checkbox"/>	Cadre n° VI	Certains documents cités	<input type="checkbox"/>	Cadre n° VII	Certaines irrégularités relevées dans la demande internationale	<input type="checkbox"/>	Cadre n° VIII	Certaines observations relatives à la demande internationale
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4.	Le Bureau international communiquera le présent rapport aux offices désignés conformément aux règles 44bis.3.c) et 93bis.1 mais pas avant l'expiration du délai de 30 mois à compter de la date de priorité (règle 44bis.2), sauf si le déposant a présenté une requête expresse à cet égard en vertu de l'article 23.2).																								

Bureau international de l'OMPI 34, chemin des Colombettes 1211 Geneva 20, Switzerland  no de télécopieur +41 22 338 82 70	Date d'établissement du présent rapport <b>01 November 2006 (01.11.2006)</b>  Fonctionnaire autorisé <b>Beate Giffo-Schmitt</b>  e-mail: pt03@wipo.int
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# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

To:

**PCT**

**TRANSLATION**

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Applicant's or agent's file reference <b>70602WO3ASLC</b>		Date of mailing (day/month/year) <b>See form PCT/ISA/210</b>
<b>FOR FURTHER ACTION</b> See paragraph 2 below		
International application No. <b>PCT/FR2005/000323</b>	International filing date (day/month/year) <b>11.02.2005</b>	Priority date (day/month/year) <b>13.02.2004</b>
International Patent Classification (IPC) or both national classification and IPC <b>G01R31/3185</b>		
Applicant <b>INSTITUT NATIONAL POLYTECHNIQUE DE GRENOBLE</b>		

1. This opinion contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the opinion
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/EP	Authorized officer
Facsimile No.	Telephone No.

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Box No. I	Basis of this opinion
1.	<p>With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.</p> <p><input type="checkbox"/> This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).</p>
2.	<p>With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:</p> <p>a. type of material</p> <p><input type="checkbox"/> a sequence listing</p> <p><input type="checkbox"/> table(s) related to the sequence listing</p> <p>b. format of material</p> <p><input type="checkbox"/> in written format</p> <p><input type="checkbox"/> in computer readable form</p> <p>c. time of filing/furnishing</p> <p><input type="checkbox"/> contained in the international application as filed.</p> <p><input type="checkbox"/> filed together with the international application in computer readable form.</p> <p><input type="checkbox"/> furnished subsequently to this Authority for the purposes of search.</p>
3.	<p><input type="checkbox"/> In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.</p>
4.	<p>Additional comments:</p>

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Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	5-14, 17-20	YES
	Claims	1-4, 15-16	NO
Inventive step (IS)	Claims	5-14, 17-20	YES
	Claims	1-4, 15-16	NO
Industrial applicability (IA)	Claims	1-20	YES
	Claims		NO

2. Citations and explanations:

1. Reference is made to the following document:

D1: AKTOUF C ET AL: "Inserting scan at the behavioral level" IEEE DESIGN & TEST OF COMPUTERS IEEE USA, Vol. 17, No. 3, July 2000, pages 34-42, XP002321051 ISSN: 0740-7475

2. INDEPENDENT CLAIM 1

The present application fails to comply with the requirements of PCT Article 33(1) since the subject matter of claim 1 does not meet the criterion for novelty defined in PCT Article 33(2). Document D1 describes (the references in parentheses apply to this document):

A method for analysing a batch of original description files in an integrated electronic digital system in a descriptive language at the register transfer level, the said language being HDL, with a view to the automatic insertion into the description files of instructions in HDL language to obtain a new batch of description files in HDL language in the integrated

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citations and explanations supporting such statement

electronic digital system incorporating test functionalities such that during the automatic synthesis of the integrated electronic digital system from the new batch of files, the integrated electronic digital system obtained incorporates at least part of the logical electronic circuits necessary for testing the integrated electronic digital system (page 35, paragraph "behavioural-level scan insertion"), the method characterised in that it comprises the following stages:

automatic localisation in the original HDL description files of HDL instruction sequences, which during the synthesis of the system are initially memory elements (page 35, column 2, lines 8-15), insertion in one part at least of the HDL description files in a sequential automatic manner and without relational or functional analysis of the identified memory elements, HDL instructions known as SCAN, ensuring that during the synthesis of the system at least one chain is obtained, known as "SCAN" linking the memory elements (page 37, paragraph "behavioural-level scan insertion" - page 38, figure 1).

3. INDEPENDENT CLAIMS 15, 16

The subject matter of independent claims 15 and 16 corresponds in terms of features of the device to that of claim 1. The objections raised in connection with the latter therefore also apply to claims 15 and 16, the subject matter of which does not meet the criterion for novelty defined in PCT Article 33 2) and 3).

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International application No.

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Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement

4. DEPENDENT CLAIMS 2-4

These claims do not contain features which combined with the features of any claim to which they refer satisfy the requirements of the PCT with regard to novelty and inventive step (PCT Article 33 2) and 3)).

Claim 2:

The recording of the new batch of files is only one possibility that a person skilled in the art could select, depending on the individual case, from several obvious possibilities in order to solve the problem posed without involving an inventive step.

Claim 3, 4: see D1, page 35 paragraph "Locating memory elements" - page 36

5. DEPENDENT CLAIMS 5-14, 17-20

The additional features of dependent claims 5-15 are not disclosed, in their current form, in the documents cited in the search report.